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Washington, Tuesday, June 23, 1936

PRESIDENT OF THE UNITED STATES.

BLACK WARRIOR NATIONAL FOREST—ALABAMA

By the President of the United States of America

A PROCLAMATION

WHEREAS certain lands within areas adjoining the Alabama National Forest in the State of Alabama have been acquired by the United States under authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to add such lands and certain adjoining public lands within the areas hereinafter designated to the said National Forest; and

WHEREAS it further appears that it would be in the public interest to change the name of said Alabama National Forest, as established by proclamation of January 15, 1918, 40 Stat. 1740, to the Black Warrior National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, 30 Stat. 11, 34, 36, and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States within the following-described areas are included in and reserved as part of the Black Warrior National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon acquisition of title thereto be reserved and administered as part of the Black Warrior National Forest:

HUNTSVILLE MERIDIAN

- T. 7 S., R. 6 W., section 31, S½ sections 32 to 34, inclusive;
- T. 7 S., R. 7 W., S½ section 19, sections 30 and 31, and S½ sections 32 to 36, inclusive;
- T. 7 S., R. 8 W., SW¼ section 13, S½ section 14, SE¼ section 22, section 23, W½ and SE¼ section 24, and sections 25 to 36, inclusive;
- T. 7 S., R. 9 W., W½ and SE¼ section 19, S½ section 20, section 25, W½ section 28, and sections 29 to 36, inclusive;
- T. 7 S., R. 10;
- T. 8 S., R. 6 W., SW¼ section 1, sections 2 to 11, inclusive, NW¼ section 12, and sections 14 to 36, inclusive;
- Tps. 8 S., Rs. 7, 8, 9, and 10 W.;
- Tps. 9 S., Rs. 6, 7, 8, 9, and 10 W.;
- Tps. 10 S., Rs. 6, 7, 8, 9, and 10 W.;
- Tps. 11 S., Rs. 6, 7, 8, 9, and 10 W.;
- T. 12 S., R. 6 W., All that part lying in Winston County;
- T. 12 S., R. 7 W., sections 1 to 18, inclusive;
- T. 12 S., R. 8 W., sections 1 to 18, inclusive;
- T. 12 S., R. 9 W., sections 1 to 18, inclusive;
- T. 12 S., R. 10 W., sections 1 to 18, inclusive.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 19th day of June, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 21781]

[F. R. Doc. 962—Filed, June 22, 1936; 11:38 a. m.]

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO ETHIOPIA AND ITALY

By the President of the United States of America

A PROCLAMATION

WHEREAS by my proclamation of February 29, 1936,¹ issued pursuant to section 1 of the joint resolution of Congress approved on the same date, extending and amending the joint resolution of Congress approved August 31, 1935, I proclaimed that a state of war unhappily continued to exist between Ethiopia and the Kingdom of Italy.

AND WHEREAS all citizens of the United States or any of its possessions and all persons residing or being within the territory or jurisdiction of the United States or its possessions were thereby admonished to abstain from every violation of the provisions of the joint resolution, made effective and applicable by that proclamation to the export of arms, ammunition, and implements of war from any place in the United States or its possessions to Ethiopia or to the Kingdom of Italy, or to any Italian possession, or to any neutral port for transshipment to, or for the use of, Ethiopia or the Kingdom of Italy,

AND WHEREAS section 1 of the aforesaid joint resolution of Congress approved August 31, 1935, as extended and amended by the aforesaid joint resolution of Congress of February 29, 1936, provides in part as follows:

"When in the judgment of the President the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions hereof shall thereupon cease to apply".

AND WHEREAS the conditions which caused me to issue my aforesaid proclamation of February 29, 1936, have ceased to exist,

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby revoke the aforesaid proclamation of February 29, 1936.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

¹ Proclamation No. 2159.



FEDERAL REGISTER

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DONE at the City of Washington this 20th day of June in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State

[No. 2179]

[F. R. Doc. 955—Filed, June 20, 1936; 12:41 p. m.]

TRAVEL BY AMERICAN CITIZENS ON ETHIOPIAN AND ITALIAN VESSELS

By the President of the United States of America

A PROCLAMATION

WHEREAS by my proclamation of October 5, 1935,¹ issued pursuant to section 6 of the joint resolution of Congress approved August 31, 1935, I proclaimed that war unhappily existed between Ethiopia and the Kingdom of Italy,

AND WHEREAS all citizens of the United States were thereby admonished to abstain from traveling on any vessel of either of the belligerent nations contrary to the provisions of the said joint resolution,

AND WHEREAS notice was thereby given that any citizen of the United States who might travel on such a vessel, contrary to the provisions of the said joint resolution, would do so at his own risk,

AND WHEREAS section 6 of the aforesaid joint resolution provides in part as follows:

"When, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply",

AND WHEREAS the conditions which caused me to issue my aforesaid proclamation of October 5, 1935, have ceased to exist,

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby revoke the aforesaid proclamation of October 5, 1935.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 20th day of June in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2180]

[F. R. Doc. 956—Filed, June 20, 1936; 12:41 p. m.]

EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 6014 OF FEBRUARY 6, 1933, WITHDRAWING PUBLIC LANDS

Oregon

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive Order No. 6014 of February 6, 1933, withdrawing public lands in T. 17 S., R. 9 W. of the Willamette meridian, Oregon, pending a resurvey, is hereby revoked.

This order shall become effective upon the date of the official filing of the plat of resurvey of said township.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

June 19, 1936.

[No. 7392]

[F. R. Doc. 959—Filed, June 22, 1936; 10:01 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48388]

AIRPORTS OF ENTRY

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A PERIOD OF ONE YEAR

To Collectors of Customs and Others Concerned:

Under the authority of Section 7 (b) of the Air Commerce Act of 1926 (49 U. S. C., 1934 ed., 177 (b)), the following—

¹ Proclamation No. 2142.

named airports are hereby redesignated as Airports of Entry for the landing of aircraft from foreign countries for a period of one year from the dates shown opposite their respective names:

Juneau Airport, Juneau, Alaska. June 18, 1936.
Ketchikan Airport, Ketchikan, Alaska. June 18, 1936.
Port Townsend Airport, Port Townsend, Wash. June 18, 1936.
Detroit Municipal Airport, Detroit, Michigan. June 19, 1936.

[SEAL]

FRANK DOW,
Acting Commissioner of Customs.

Approved, June 18, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 965—Filed, June 22, 1936; 12:50 p. m.]

[T. D. 48389]

AIRPORTS OF ENTRY

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A PERIOD OF ONE YEAR

To Collectors of Customs and Others Concerned:

Under the authority of Section 7 (b) of the Air Commerce Act of 1926 (49 U. S. C., 1934 ed., 177 (b)), the following-named airports are hereby redesignated as Airports of Entry for the landing of aircraft from foreign countries for a period of one year from the dates shown opposite their names:

Crosby Municipal Airport, Crosby, N. Dak., June 28, 1936.
Burlington Municipal Airport, Burlington, Vt., June 29, 1936.

[SEAL]

FRANK DOW,
Acting Commissioner of Customs.

Approved, June 19, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 966—Filed, June 22, 1936; 12:50 p. m.]

Public Health Service.

REGULATIONS FOR THE ISSUE OF CLOTHING, CASH GRATUITIES, AND TRANSPORTATION TO FEDERAL PRISONERS AND PROBATIONERS DISCHARGED FROM A UNITED STATES NARCOTIC FARM

JUNE 4, 1936.

Pursuant to authority contained in the Act of January 19, 1929, Ch. 82, 45 Stat. 1085; U. S. Code, title 21, secs. 221-237, the following regulations governing the issue of clothing, cash gratuities, and transportation to Federal prisoners and probationers discharged from a United States narcotic farm are hereby promulgated:

TERMS "DISCHARGE" AND "DISCHARGED" DEFINED

1. In connection with the furnishing of transportation, clothing, and cash gratuities, the terms "discharge" and "discharged" shall, in the case of prisoners, include release on parole, conditional release as if on parole, discharge with deductions of time allowed by law where not sentenced after June 29, 1932, and discharge upon expiration of maximum sentence; and, in the case of probationers, discharge prior to the expiration of the period of probation, or upon expiration of such period. In the case of a prisoner who remains at a narcotic farm for further treatment as an ex-prisoner, "discharge" shall mean the actual departure of such person after treatment in the status of an ex-prisoner.

CLOTHING

2. Upon discharge from a United States narcotic farm, every prisoner who shall have been sentenced on indictment to a term of six months or more and every probationer may be provided with suitable clothing.

3. The Medical Officer in Charge of a United States narcotic farm, or his authorized representative, is hereby designated as the proper authority to decide in his discretion what clothing may be necessary, subject to the limitations set out in paragraph 4.

4. No prisoner or probationer shall receive more than one suit of clothes, nor shall he receive duplicate or extra articles of clothing. The value of articles of clothing, which the United States is willing to provide, shall not be advanced in cash nor applied as credit upon the purchase of any substitute article of clothing.

CASH GRATUITIES

5. Upon discharge from a United States narcotic farm, every prisoner who shall have been sentenced on indictment to a term of six months or more and every probationer may receive in the discretion of the Medical Officer in Charge a cash gratuity which shall in no case exceed \$20.

TRANSPORTATION

6. Upon discharge from a United States narcotic farm, every prisoner convicted on indictment and every probationer shall be furnished with transportation, by way of the cheapest and most direct and usually traveled route, to the place of conviction or place of bona fide residence within the United States, or to such other place within the United States as, in the opinion of the Medical Officer in Charge, may afford the best opportunity for permanent rehabilitation.

7. When any prisoner convicted on indictment or when any probationer is discharged from a United States narcotic farm and is surrendered to a peace officer for prosecution or incarceration in some other institution the transportation authorized by paragraph 6 shall be withheld. Such withheld transportation shall upon application be issued to such prisoners and probationers upon discharge after hearing, as a result of trial, or upon completion of service of such sentence as may be imposed: Provided, however, That no transportation shall be allowed to such prisoners and probationers if, at the time of such last mentioned discharge, the maximum sentence or period of probation imposed upon any such prisoner or probationer in the proceedings which resulted in his commitment to a United States narcotic farm shall have expired.

[SEAL]

W. F. DRAPER,
Acting Surgeon General.

Approved, June 18, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 954—Filed, June 20, 1936; 12:31 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

PROCLAMATION MADE BY THE SECRETARY OF AGRICULTURE CONCERNING THE BASE PERIOD TO BE USED IN CONNECTION WITH THE EXECUTION OF A MARKETING AGREEMENT REGULATING THE HANDLING OF MILK IN THE TOPEKA, KANSAS, MARKETING AREA

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, the Secretary of Agriculture does hereby find and proclaim that in connection with the execution of a marketing agreement regulating the handling of milk in the Topeka, Kansas, Marketing Area, the purchasing power of such milk during the base period August 1909 to July 1914 cannot be satisfactorily determined from available statistics in the Department of Agriculture, but that the purchasing power of such milk can be satisfactorily determined from available statistics in the Department of Agriculture for the period August 1919 to July 1929; and the period August 1919 to July 1929 is hereby found and proclaimed to be the base period to be used in connection with ascertaining the purchasing power of milk handled in the Topeka, Kansas, Marketing Area, for the purpose of the execution of a market-

ing agreement regulating the handling of said milk in that area.

In testimony whereof, the Secretary of Agriculture has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 19th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 951—Filed, June 19, 1936; 12:47 p. m.]

N. C. R.—B-1-C

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTH CENTRAL REGION

Bulletin No. 1-C

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, North Central Region Bulletin No. 1, Revised, as amended by North Central Region Bulletins Nos. 1-A and 1-B,¹ is hereby amended as follows:

The date "June 15, 1936" appearing in item (n) of Section 1 of Part IV and in items (f), (i), (j), and (n) of Section 2 of Part IV is amended to read "July 1, 1936."

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 952—Filed, June 19, 1936; 12:47 p. m.]

N. E. R.—B-1 Revised—Supplement (b) Issued June 19, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

BULLETIN NO. 1 REVISED

Supplement (b)

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, the following amendments are hereby made to Northeast Region Bulletin No. 1 Revised¹:

1. The last sentence of the last paragraph (Soil-Building Allowance) of Part I of such bulletin is amended to read as follows:

For the purpose of computing this allowance the acreage of soil-conserving crops shall include the number of acres devoted to winter cover crops or green-manure crops, seeded following commercial bulb, flower, or vegetable crops, including potatoes and sweet potatoes, and plowed or disked under as green manure between January 1, 1936, and November 1, 1936¹, after having attained at least two months' growth, irrespective of any other crops harvested on such acres in 1936. In no event shall the same crop land be considered more than once in determining the soil-building allowance for a farm.

and the following footnote is added to such section:

¹ On muck land in the counties of Albany, Cattaraugus, Cayuga, Erie, Genesee, Livingston, Madison, Monroe, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Seneca, Steuben, Ulster, Wayne, and Yates of the State of New York, such winter cover crops or green-manure crops, may be so plowed or disked under between January 1, 1936, and December 1, 1936, after having attained at least two months' growth.

2. The first sentence of section 4 (Minimum Acreage of Soil-Conserving Crops) of Part II of such bulletin is amended by inserting between the words "any" and "payment" the word "soil-conserving".

3. Paragraphs *g*, *h*, and *i*, respectively, of section 1 (Soil-Depleting Crops) of Part IV of such bulletin are amended to read as follows:

¹ 1 F. R. 275, 401, 613.

² 1 F. R. 296.

g. Small grains.—Wheat, oats, barley, rye, rape, buckwheat, and grain mixtures (except when used as provided in paragraph *a*, *c*, *d*, *e*, *f*, or *h* of section 2 of this Part IV).

h. Annual grasses.—Sudan, millets, and Italian ryegrass (except when used as provided in paragraph *b* or *h* of section 2 of this Part IV).

i. Annual legumes.—Soybeans, field beans, cowpeas, and field peas (except when used as provided in paragraph *d* or *h* of section 2 of this Part IV).

and the following paragraph is added at the end of such section 1.

j. Commercial bulbs and flowers.

4. Paragraph *a* of section 2 (Soil-Conserving Crops) of Part IV of such bulletin is amended to read as follows:

a. Small grains.—Rye, barley, oats, buckwheat, rape, wheat, sowed corn, and grain mixtures, winter pastured or not, and turned under as a green-manure crop or, in orchards and vineyards, left on the land as a cover crop.

and such section 2 is further amended by adding at the end thereof the following paragraph:

*h. Small grains, annual grasses, and annual legumes, which are harvested for hay, if seeded in 1936 following another soil-conserving crop which was abandoned because of unusual weather conditions: Provided, That the State Agricultural Conservation Committee, after investigation, shall designate the counties, if any, in the State where, because of unusual weather conditions in 1936, the amount of planted acreage abandoned in 1936 was abnormally large, and the classification provided in this paragraph *h* shall apply only in the counties so designated.*

5. Paragraph *a* of section 3 (Neutral Uses) of Part IV of such bulletin is amended by inserting, after the expression "small fruits", the words "nursery stock" and a comma.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 19th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 947—Filed, June 19, 1936; 12:45 p. m.]

S. R.—B-1, Revised—Supplement (f)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 1, REVISED

Supplement (f)

Section 6, part II of Southern Region Bulletin No. 1, Revised,¹ is hereby amended to read as follows:

SECTION 6. *Minimum Acreage in Soil-Conserving Crops.*—If the total acreage of soil-conserving crops on crop land on the farm in 1936 does not equal or exceed an acreage equal to the sum of:

- (a) 15 percent of the general soil-depleting base;²
- (b) 20 percent of the cotton soil-depleting base;
- (c) 20 percent of the tobacco soil-depleting base;
- (d) 20 percent of the peanut soil-depleting base;
- (e) 40 percent of the sugarcane soil-depleting base;³

a deduction will be made from any payment other than any soil-building payment which otherwise would be made with respect to the farm pursuant to any provision herein, in an amount equal to one and one-half times the rate per acre determined for the farm under section 2 (a) of part II, multiplied by the number of acres by which the total acreage of soil-conserving crops on crop land on the farm in 1936 is less than the acreage specified in this section 6. In computing any soil-conserving payment which otherwise would be made the computation shall be based upon an acreage no larger than the acreage of crop land on the farm used for the production of soil-conserving crops in 1936.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official

¹ 1 F. R. 281.

² For the purposes of this section the base acreage of the food and feed crops produced on the farm net in excess of the home-consumption needs for the farm shall not be included in the general soil-depleting base.

³ Such acreage must be adapted to the production of sugarcane for sugar.

seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 19th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[P. R. Doc. 946—Filed, June 19, 1936; 12:45 p. m.]

S. R.—B-1, Revised—Supplement (j)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 1, REVISED¹

Supplement (j)

Clean cultivation or treatment with a chemical of any acreage of crop land in 1936 for the eradication of such of the following perennial noxious weeds as are designated by the State Agricultural Conservation Committee and approved by the Director of the Southern Division shall be considered a soil-conserving practice which may be substituted acre for acre in lieu of a soil-conserving crop: Bindweed or wild morning-glory (*Convolvulus arvensis*), nut grass (*Cyperus rotundus*), Johnson grass (*Sorghum halepense*; *Holcus halepensis*), Bermuda grass (*Cynodon dactylon*), blueweed (*Helianthus ciliaris*), provided (1) such clean cultivation or chemical treatment is effected on seriously infested plots, location of which is filed with the county committee before eradication practices are instituted, (2) eradication is accomplished by the application of chemicals or periodic cultivation or both, in accordance with the methods recommended by the State Agricultural Conservation Committee and approved by the Director of the Southern Division, and (3) no soil-depleting crop is harvested from the same acreage in 1936. No soil-building payment will be made for the eradication of perennial noxious weeds.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 19th day of June, 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[P. R. Doc. 964—Filed, June 22, 1936; 12:49 p. m.]

Bureau of Agricultural Economics.

ORDER OF DESIGNATION OF TOBACCO MARKETS

[Kentucky-Tennessee]

Whereas the Act of Congress approved August 23, 1935 (49 Stat. 731) entitled "The Tobacco Inspection Act" contains the following provisions:

Sec. 2. That transactions in tobacco involving the sale thereof at auction as commonly conducted at auction markets are affected with a public interest; that such transactions are carried on by tobacco producers generally and by persons engaged in the business of buying and selling tobacco in commerce; that the classification of tobacco according to type, grade, and other characteristics affects the prices received therefor by producers; that without uniform standards of classification and inspection the evaluation of tobacco is susceptible to speculation, manipulation, and control, and unreasonable fluctuations in prices and quality determinations occur which are detrimental to producers and persons handling tobacco in commerce; that such fluctuations constitute a burden upon commerce and make the use of uniform standards of classification and inspection imperative for the protection of producers and others engaged in commerce and the public interested therein.

Sec. 5. That the Secretary is authorized to designate those auction markets where tobacco bought and sold thereon at auction, or the products customarily manufactured therefrom, moves in commerce. Before any market is designated by the Secretary under this section he shall determine by referendum the desire of tobacco growers who sold tobacco at auction on such market during the preceding marketing season. The Secretary may at his discretion hold one referendum for two or more markets or for all markets in a type area. No market or group of markets shall be designated

¹ P. R. 281.

by the Secretary unless two-thirds of the growers voting favor it. The Secretary shall have access to the tobacco records of the Collector of Internal Revenue and of the several collectors of internal revenue for the purpose of obtaining the names and addresses of growers who sold tobacco on any auction market, and the Secretary shall determine from said records the eligibility of such grower to vote in such referendum, and no grower shall be eligible to vote in more than one referendum. After public notice of not less than thirty days that any auction market has been so designated by the Secretary, no tobacco shall be offered for sale at auction on such market until it shall have been inspected and certified by an authorized representative of the Secretary according to the standards established under this Act, except that the Secretary may temporarily suspend the requirement of inspection and certification at any designated market whenever he finds it impracticable to provide for such inspection and certification because competent inspectors are not obtainable or because the quantity of tobacco available for inspection is insufficient to justify the cost of such service: *Provided*, That, in the event competent inspectors are not available, or for other reasons, the Secretary is unable to provide for such inspection and certification at all auction markets within a type area, he shall first designate those auction markets where the greatest number of growers may be served with the facilities available to him. No fee or charge shall be imposed or collected for inspection or certification under this section at any designated auction market. Nothing contained in this Act shall be construed to prevent transactions in tobacco at markets not designated by the Secretary or at designated markets where the Secretary has suspended the requirement of inspection or to authorize the Secretary to close any market.

and

Whereas pursuant to said Act a referendum has been held among growers of fire-cured and Green River dark air-cured tobacco in Kentucky and Tennessee, commonly referred to as Types 22, 23, 24, and 36, who sell tobacco on the markets named below, in which referendum said growers were given an opportunity to vote for or against the designation, as provided in Section 5 of said Act in the following auction markets, to wit: Clarksville and Springfield, Tennessee, Hopkinsville, Paducah, Mayfield, Murray, Madisonville, and Henderson, Kentucky; and

Whereas, more than two-thirds of the growers of tobacco voting in said referendum voted in favor of said designation,

Now, therefore, by virtue of the authority conferred upon me by Section 5 of The Tobacco Inspection Act and the affirmative results of the referendum conducted thereunder, the cities of Clarksville and Springfield, Tennessee, and Hopkinsville, Paducah, Mayfield, Murray, Madisonville, and Henderson, Kentucky, are designated as markets where the tobacco bought and sold thereon at auction, or the products customarily made therefrom, moves in commerce.

It is hereby ordered that, effective 30 days from this date no fire-cured or Green River dark air-cured tobacco shall be offered for sale at auction on the above-named markets until it shall have been inspected and certified by an authorized representative of the United States Department of Agriculture according to standards established under the Act; provided, however, that the requirement of inspection and certification may be suspended at such times as it is found impracticable to provide inspectors or when the quantity of tobacco available for inspection is insufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the markets designated herein.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, this 18th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[P. R. Doc. 949—Filed, June 19, 1936; 12:46 p. m.]

ORDER OF DESIGNATION OF TOBACCO MARKETS

[Virginia]

Whereas the Act of Congress approved August 23, 1935 (49 Stat. 731), entitled "The Tobacco Inspection Act" contains the following provisions:

[Here appears in full the provisions of Sections 2 and 5 which are printed in the document immediately preceding.]

and

Whereas pursuant to said Act a referendum has been held among growers of fire-cured tobacco in Virginia, commonly referred to as Type 21 tobacco, who sell tobacco on the markets named below, in which referendum said growers were given an opportunity to vote for or against the designation, as provided in Section 5 of said Act, of the auction markets of Lynchburg, Bedford, Farmville, Blackstone, and Drakes Branch, all in the State of Virginia; and

Whereas more than two-thirds of the growers of tobacco voting in said referendum voted in favor of said designation,

Now, therefore, by virtue of the authority conferred upon me by Section 5 of The Tobacco Inspection Act and the affirmative results of the referendum conducted thereunder, the cities of Lynchburg, Bedford, Farmville, Blackstone, and Drakes Branch, Virginia, are designated as markets where the tobacco bought and sold thereon at auction, or the products customarily made therefrom, moves in commerce.

It is hereby ordered that, effective 30 days from this date, no tobacco shall be offered for sale at auction on the above-named markets until it shall have been inspected and certified by an authorized representative of the United States Department of Agriculture according to standards established under the Act; provided, however, that the requirement of inspection and certification may be suspended at such times as it is found impracticable to provide inspectors or when the quantity of tobacco available for inspection is insufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the markets designated herein.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, this 18th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 950—Filed, June 19, 1936; 12:47 p. m.]

Food and Drug Administration.

SERVICE AND REGULATORY ANNOUNCEMENTS

FOOD AND DRUG NO. 4, THIRD REVISION

Supplement No. 3

Under the authority conferred by the amendment of July 8, 1930, to the Federal Food and Drugs Act (sec. 8, par. 5, in the case of food), there is hereby promulgated, to become effective 90 days from date, a further revision of the standard for canned peas. This revision supersedes the standard promulgated May 8, 1936.¹

[SEAL]

R. G. TUGWELL,
Acting Secretary of Agriculture.

WASHINGTON, D. C., June 19, 1936.

CANNED PEAS

Standard of Quality and Condition

60. Standard canned peas are the normally flavored and normally colored canned food consisting of the immature, unbroken seed of the common or garden pea (*Pisum sativum*), with or without seasoning (sugar, salt), and with or without added potable water. The product is practically free from foreign material and, in the case of products containing added liquid, the liquor present is reasonably clear.

Meaning of Terms

61. The term "normally colored", as it relates to the peas, means a naturally developed general effect of green, except

that not to exceed 4 per cent by count of off-colored peas, such as brown, brown-spotted, white, or yellowish-white peas may be present.

62. The peas are "immature" (1) if 90 per cent or more by count are sufficiently soft so that either cotyledon is crushed by a weight of less than 907.2 grams (2 pounds), (2) if the alcohol insoluble solids of the drained peas do not exceed 23.5 per cent, and (3) if less than 25 per cent of the peas by count are swollen to such an extent as to rupture the skin sufficiently to separate the broken edges one-sixteenth inch or more.

63. The pea seed is "unbroken" if 80 per cent or more of the units by count are in such a condition that the two cotyledons are still held together by the skin, even though the cotyledons may be cracked or partially crushed, or the skin split. Each major portion of a skin or cotyledon not included in the above definition is counted as a broken pea.

64. The peas are "practically free from foreign material" when they are entirely free from material which varies greatly in size or specific gravity from peas, such as stones, large pieces of pea shell, sticks; and when they contain per each 2 ounces of net contents not more than one piece of material which closely approximates peas in size and specific gravity, such as thistle buds, daisy heads, portions of radish-seed pods. The difficulty of absolute freedom from the latter class of foreign material occasionally renders its complete exclusion impracticable.

65. The liquor is "reasonably clear" when it is not badly clouded and does not contain considerable sediment.

Preparation and Examination of Sample

66. Transfer the contents of the can to a dish, mix and remove a sample of 100 to 200 peas to be used in tests provided in paragraphs 61, 62 (1) and (3), and 63. Place these peas in a dish of appropriate size, cover them with liquor if liquor is present, and keep dish covered to prevent evaporation until the tests are actually made. Cover the remainder of the sample in the same manner and reserve for tests provided in paragraphs 62 (2), 64, and 65.

67 (a). Determine if 90 per cent of the peas are "sufficiently soft" (paragraph 62 (1)) by the following method: Remove the skin of the pea and place one cotyledon on its flat surface on a horizontal, smooth plate. By means of a second horizontal, smooth plate apply vertically an initial load of 100 grams, and increase the load at a uniform, continuous rate of 12 grams per second until the cotyledon is compressed to one-fourth its original thickness.

67 (b). Determine percentage of alcohol insoluble solids in the drained peas (paragraph 62 (2)) as follows: Pour the sample, provided for this test in paragraph 66, on an 8-mesh screen, using an 8-inch screen for containers of less than 3 pounds net weight, and a 12-inch screen for larger containers. Spread the peas evenly and allow to drain. Reserve liquor, if any, for test provided in paragraph 65. Transfer peas to a white pan and remove any foreign material for tests provided in paragraph 64. Add a volume of water equal to double the volume of the original sample. Pour back on the screen, spreading the peas evenly, tilt the screen as much as possible without shifting the peas and drain for 2 minutes. With a cloth wipe surplus moisture from lower surface of screen, grind the drained peas in a food chopper, stir until homogeneous and weigh 20 grams of the ground material into a 600 cc beaker. Add 300 cc of 80 per cent alcohol (by volume), stir, cover beaker and bring to a boil. Simmer slowly for one-half hour. Fit into a Buchner funnel a filter paper, previously prepared as follows: Place a paper of appropriate size in a flat bottom dish, uncovered but provided with a tight fitting cover. Dry for 2 hours at the temperature of boiling water, cover dish, cool in a desiccator, and weigh at once. Transfer contents of beaker to Buchner funnel, filter with suction, and wash material on filter with 80 per cent alcohol until washings are clear and colorless. Transfer filter paper and alcohol insoluble solids to the dish used in the preparation of the filter paper, dry

¹ 1 F. R. 427.

uncovered for 2 hours at the temperature of boiling water, place cover on dish, cool in a desiccator, and weigh at once. From this weight deduct weight of dish, cover, and paper to determine weight of alcohol insoluble solids. Calculate percentage.

Substandard Quality Statement

68. Canned peas which fail to meet the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement, except as provided in section (a), "Low Quality But Not Illegal."

(a) When canned peas fail to meet the above standard only in that they are artificially colored, the explanatory statement shall be "Because artificially colored."

Standard Requirement for Fill of Container

69. Canned peas are of standard fill with respect to packing medium when the proportion of free liquid in the product is such that when the contents of the container are poured out and poured back into the container standing on a level surface, and the peas leveled without downward pressure, the liquid does not completely cover the peas after being allowed to stand for 15 seconds: *Provided*, That when the declared net weight is sufficient to fill the container to 90 per cent or more of its capacity, liquid in excess of such declared net weight shall be removed before making the test.

Substandard Fill Statement

70. Canned peas which fail to meet the above requirement shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

[F. R. Doc. 948—Filed, June 19, 1936; 12:46 p. m.]

FEDERAL HOUSING ADMINISTRATION.

AMENDMENT TO THE REGULATIONS OF THE FEDERAL HOUSING ADMINISTRATION ISSUED IN CONNECTION WITH THE MODERNIZATION CREDIT PLAN OF THE NATIONAL HOUSING ACT, TITLE I

Regulation No. 27 (Applicable only to loans in excess of \$5,000).—Loans, advances of credit, or purchases of obligations evidencing loans or advances of credit, in excess of \$5,000 exclusive of financing charges, will be accepted for insurance only upon the prior approval of the Administrator. Requests for such approval should be accompanied by the borrower's Credit and Financial Statement, including a balance sheet and profit and loss statement, upon a form approved by the Administrator and any other credit information in the possession of the insured institution.

This amendment shall be effective as of July 1, 1936, and is hereby declared to have the same force and effect as if included in and made a part of each Contract of Insurance.

STEWART McDONALD,

Federal Housing Administrator.

JUNE 17, 1936.

[F. R. Doc. 961—Filed, June 22, 1936; 10:48 a. m.]

